

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,
Plaintiff,

vs.

No. CR 14-415 JP

ANTHONY CHEUN,
Defendant.

DEFENDANT ANTHONY CHEUN'S UNOPPOSED
MOTION FOR PRE-TRIAL RELEASE

COMES NOW defendant, Anthony Cheun, by and through his counsel of record, Erlinda O. Johnson, and hereby respectfully moves this Court for an order releasing him from custody to the third party custody of Ann Cheun and as reasons therefore submits the following:

1. On January 29, 2014, Mr. Cheun was arrested for possession with intent to distribute methamphetamine.
2. On January 31, 2014, The Honorable Robert Scott ordered Mr. Cheun Detained pending trial.
3. Mr. Cheun has absolutely no criminal history.
4. Mr. Cheun is a life-long resident of Chicago, Illinois. He is deeply rooted in his community. In fact, he is four rotations away from earning his degree as a physician's assistant.
5. Ann Cheun, Mr. Cheun's sister, has been interviewed by U.S. Pre-trial Services Officer Anthony Galaz and found to be a suitable third party custodian.

6. Ms. Cheun is prepared and willing to accept the responsibility of being Mr. Cheun's third-party custodian.

7. Pre-Trial Services Officer Anthony Galaz recommends Mr. Cheun be released to the third party custody of his sister, Ann Cheun, on the following conditions:

- a. Mr. Cheun is to reside with Ann Cheun in Chicago, Illinois.
- b. Mr. Cheun will be required to attend and complete an intensive drug treatment program while under the supervision of pre-trial services.
- c. Mr. Cheun shall be prohibited from communicating with the co-defendant -- directly or through a third-party.
- d. Mr. Cheun shall be prohibited from possessing any firearms.
- e. Mr. Cheun shall be prohibited from possessing any alcohol, drugs or other intoxicants, attend counseling and drug and alcohol testing, as directed by pre-trial services officer.
- f. Mr. Cheun will be prohibited from travel outside of the Chicago, Illinois area unless it is travel to New Mexico for Court hearings or visits with his attorney.
- g. Mr. Cheun shall abide by All other standard conditions of release.

6. Undersigned counsel has been in contact with Pre-Trial Services Officer Anthony Galaz, who advised that U.S. Pre-trial Services does not object to the requested release to the third-party custody of Ann Cheun.

7. Undersigned counsel was in contact with Assistant U.S. Attorney, William Pflugrath, who advised that he does not object to the foregoing proposed release, with the foregoing conditions.

Wherefore, for the foregoing reasons, Mr. Cheun respectfully requests this Court issue an order authorizing his release from custody to the third-party custody of Ann Cheun, under the above conditions.

Respectfully Submitted,

electronically filed 4/24/14
Erlinda O. Johnson
Counsel for Anthony Cheun
1110 2nd Street N.W.
Albuquerque, NM 87102

I hereby certify that a true and correct
Copy of the foregoing was provided
To AUSA Pflugrath, on this 24th
Day of April, 2014.

/s/
Erlinda O. Johnson
Attorney at Law